

ORDINANCE NO. 20060809-002

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND REZONING AND CHANGING THE ZONING MAP TO ESTABLISH A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT ON THREE TRACTS OF LAND CONSISTING OF APPROXIMATELY 21.52 ACRES OF LAND GENERALLY KNOWN AS THE PROMINENT POINTE II PLANNED UNIT DEVELOPMENT LOCATED AT 5401, 5405, 5505 BLUFFSTONE LANE, 8310 NORTH CAPITAL OF TEXAS HIGHWAY, AND BLUFFSTONE AT BLUEGRASS DRIVE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base zoning districts from interim rural residence (I-RR) district, single family residence standard lot-conditional overlay (SF-2-CO) combining district, limited office (LO) district, community commercial (GR) district, and planned unit development (PUD) district to planned unit development (PUD) district on the property (the "Property") described in Zoning Case No. C814-06-0054 as follows:

Prominent Pointe Tract: From limited office (LO) district and community commercial (GR) district to planned unit development (PUD) district.

Lots 1 and 2, Owens II Subdivision, a subdivision in the City of Austin, Travis County, according to the map or plat of record in Plat Book 85, Page 140B of the Plat Records of Travis County Texas.

Bluffstone Tract: From planned unit development (PUD) district to planned unit development (PUD) district.

Lots 1, 2, and 3, Great Hills Village III Subdivision, a subdivision in the City of Austin, Travis County, according to the map or plat of record in Plat Book 87, Page 111B-C of the Plat Records of Travis County Texas.

Great Hills Phase "B" Tract: From interim rural residence (I-RR) district and single family residence standard lot-conditional overlay (SF-2-CO) combining district to planned unit development (PUD) district.

Lots 9 and 10, Block A, Great Hills Phase "B" Subdivision, a subdivision in the City of Austin, Travis County, according to the map or plat in Document #200600082, Official Public Records of Travis County Texas.

locally known as the property located at 5401, 5405, 5505 Bluffstone Lane, 8310 North Capital of Texas Highway, and Bluffstone at Bluegrass Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. This ordinance and the attached Exhibits "A" and "B" are the land use plan for the Prominent Pointe II planned unit development district (the "PUD") created by this ordinance. The PUD shall conform to the limitations and conditions set forth in this ordinance and in the Prominent Pointe II planned unit development land use plan (the "PUD land use plan") on record at the Neighborhood Planning and Zoning Department in File No. C814-06-0054. If this ordinance and the attached exhibits conflict, the ordinance applies.

PART 3. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The attached exhibits are as follows:

Exhibit A: Zoning map

Exhibit B: Prominent Pointe II PUD land use plan

PART 4. Development is not allowed on Great Hills Phase "B" Tract.

PART 5. The following regulations apply to Prominent Pointe and Bluffstone Tracts.

A. Except as provided in Subsections B and C, Prominent Pointe and Bluffstone Tracts shall be developed and used according to the community commercial (GR) district site development regulations.

B. The following uses are prohibited uses of the Property:

Automotive rentals

Automotive sales

Commercial off-street parking

Exterminating services

Off-site accessory parking

Plant nursery

Automotive repair services

Automotive washing (of any type)

Drop-off recycling collection facility

Funeral services

Pawn shop services

Service station

C. The following development regulations apply to the Property:

1) Minimum setbacks:

Front yard along Bluffstone Lane: 25 feet.

Street side yard along Capital of Texas Highway: 100 feet.

Rear yard along Bull Creek: 10 feet.

2) Maximum building coverage: 15%.

- D. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day above the existing development.
- E. The Property will be allowed two curb cuts onto Bluffstone Lane and one driveway access point onto Capital of Texas Highway.
- F. Development of the Property shall comply with Section 25-2-1006 (*Screening Requirements*).

PART 6. In accordance with Section 25-2-411 (A) (*Planned Unit Development District Regulations*) of the Code, the following regulations apply to the PUD instead of otherwise applicable Code regulations.

- A. Section 25-8-341 (*Cut Requirements*) is modified to allow a maximum cut of 16 feet. A cut area must be restored and stabilized in accordance with City rules and regulations.
- B. Section 25-8-342 (*Fill Requirements*) is modified to allow a maximum fill of 16 feet.
- C. Section 25-8-301 (*Construction of a Roadway or Driveway*) of the Code is modified to allow construction of a roadway or driveway on slopes that have a gradient of more than 15 percent.
- D. Section 25-8-423 (C) (*Water Quality Transition Zone*) is modified to allow construction of a water quality pond within the water quality transition zone.

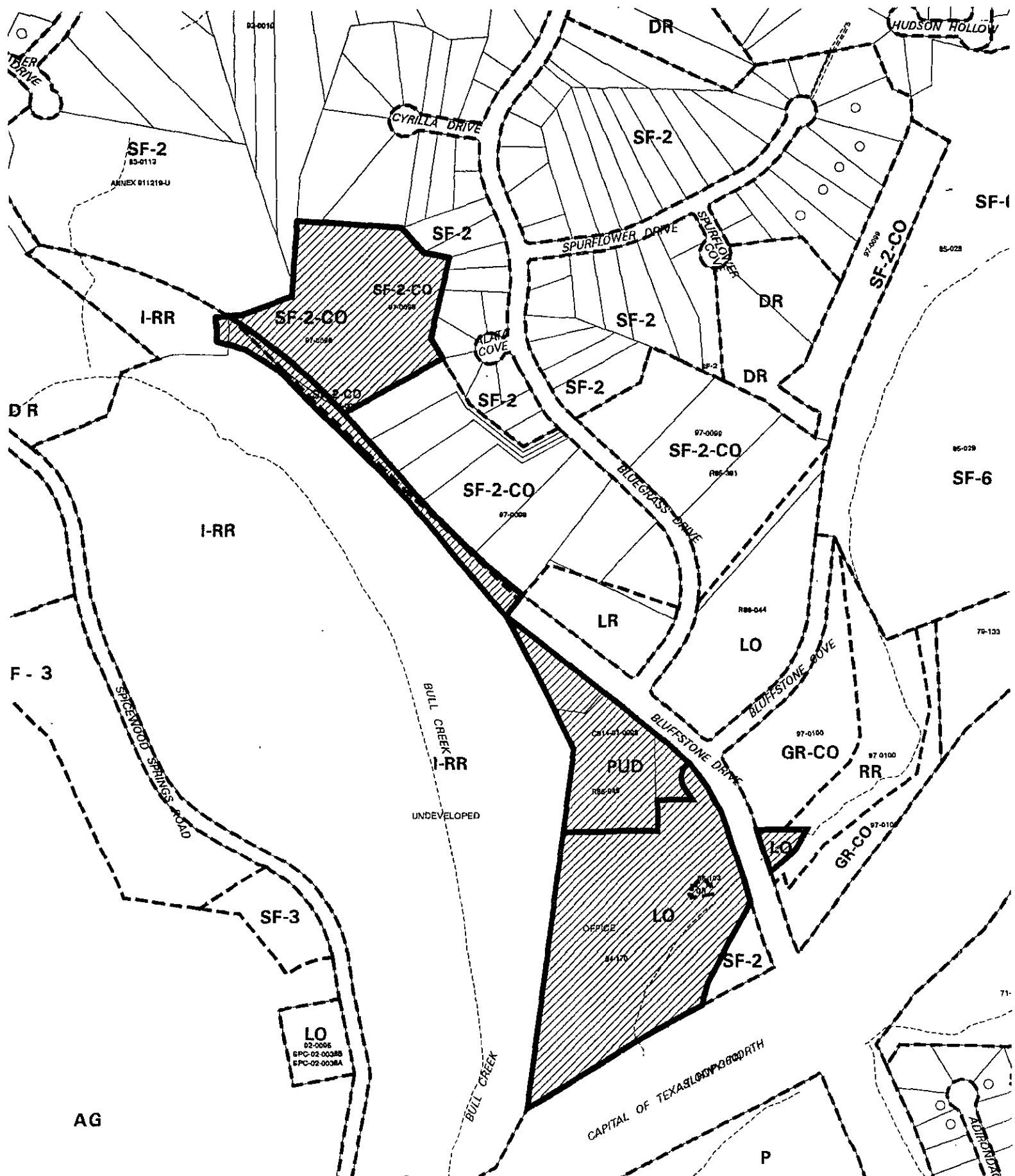
- E. Section 25-8-423 (B) (*Water Quality Transition Zone*) is modified to allow 3.7 acres, or 35% impervious cover, within the water quality transition zone.
- F. Section 25-8-262 (B) (1) (*Critical Water Quality Street Crossings*) is modified to allow the crossing of a major waterway for the reconstruction of a driveway and the enlargement of a detention pond.

PART 7. This ordinance takes effect on August 20, 2006.

PASSED AND APPROVED

_____, August 9, 2006 §
§
§ _____
Will Wynn
Mayor

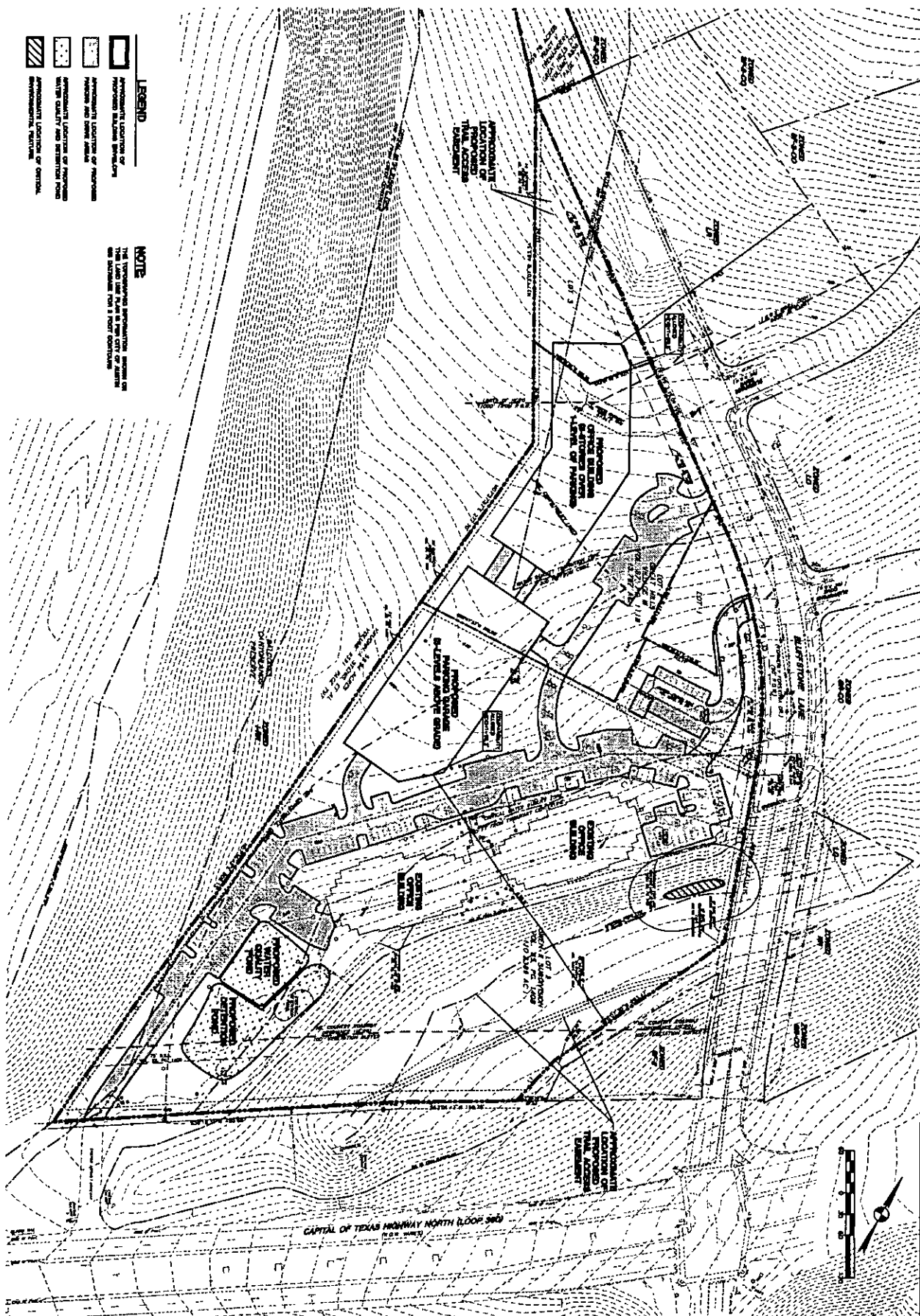
APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Gentry
City Attorney City Clerk



 1" = 400'	SUBJECT TRACT		EXHIBIT A PLANNED UNIT DEVELOPMENT		CITY GRID REFERENCE NUMBER H32
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C814-06-0054 ADDRESS: BLUFFSTONE LN BETWEEN N CAPITAL OF TEXAS HWY AND B SUBJECT AREA (acres): 21.520	DATE: 06-03 INTLS: SM	
	CASE MGR: S. SIRWAITIS				

- LEGEND**
- APPROXIMATE LOCATION OF PROPOSED BUILDING FOOTPRINT
 - APPROXIMATE LOCATION OF PROPOSED DRIVE AND DRIVE ACCESS
 - APPROXIMATE LOCATION OF PROPOSED WATER CATCHMENT AND RETENTION POND
 - APPROXIMATE LOCATION OF CENTRAL

NOTE
 THE TOPOGRAPHIC REPRESENTATION SHOWN ON THIS LAND USE PLAN IS FOR CITY OF ASPEN AND IS NOT A FIELD SURVEY.



2 OF 2
 SHEET
 PLOTTING SCALE: 1" = 1'
 DATE PLOTTED: 12/08/03
 FILED: 11/18/03
 DRAWN BY: LNC
 DESIGNED BY: JJP
 REVIEWED BY: JJP
 PROJECT NO.: 1487-06.00

PROMINENT POINT
8310 N. CAPITAL OF TEXAS HWY.
ASPEN PROPERTIES

LAND USE PLAN

Bury+Partners
 ENGINEERING SOLUTIONS
 2545 New Corner Road, Suite 200
 Austin, Texas 78746
 Tel: (512) 255-8511 Fax: (512) 255-8500
 Bury+Partners, Inc. © Copyright 2003